

## Message Text

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PAGE 01 USUN N 00976 262359Z

53

ACTION IO-10

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-03 H-02

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FM USMISSION USUN NY

TO SECSTATE WASHDC 9662

INFO AMEMBASSY BONN

USMISSION BERLIN

UNCLAS USUN 0976

E.O. 11652: N/A

TAGS: PFOR, PFOG, UN, GW, GE, WB

SUBJECT: GERMANY-BERLIN-COMMISSION ON TNC

ATTACHED DOCUMENTS CIRCULATED IN UN AT REQUEST RESPECTIVE  
DELEGATIONS.

QUOTE

A/10062

24 MARCH 1975

THIRTIETH SESSION

ITEM 12 OF THE PRELIMINARY LIST -X

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

LETTER DATED 24 MARCH 1975 FROM THE PERMANENT REPRESENTATIVE  
OF THE UNION OF SOVIET SOCIALIST REPUBLICS TO THE UNITED NATIONS  
ADDRESSED TO THE SECRETARY-GENERAL

THE PERMANENT MISSION OF THE USSR TO THE UNITED NATIONS IS  
OBLIGED TO DRAW ATTENTION TO THE FACT THAT THE PROVISIONAL LIST  
OF REPRESENTATIVES OF STATES TO THE FIRST SESSION OF THE  
UNITED NATIONS COMMISSION OF TRANSNATIONAL CORPORATIONS  
INDICATES THAT THE OFFICIAL REPRESENTATIVE OF THE FEDERAL REPUBLIC  
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PAGE 02 USUN N 00976 262359Z

OF GERMANY WILL BE PROFESSOR E. GUNTHER, THE PRESIDENT OF THE

FEDERAL OFFICE FOR THE SUPERVISION OF CARTELS AND TRUSTS  
IN THE FEDERAL REPUBLIC OF GERMANY, AN OFFICE WHICH HAS ITS  
HEADQUARTERS IN WEST BERLIN.

THIS ACTION BY THE FEDERAL REPUBLIC OF GERMANY IS CLEARLY  
CONTRARY TO THE QUADRIPARTITE AGREEMENT OF 3 SEPTEMBER 1971  
ON WEST BERLIN, ACCORDING TO WHICH WEST BERLIN IS NOT A  
CONSTITUENT PART OF THE FEDERAL REPUBLIC OF GERMANY AND IS  
NOT GOVERNED BY IT. ACCORDINGLY, THE ACTIVITIES IN WEST  
BERLIN OF THE FEDERAL OFFICE FOR THE SUPERVISION OF CARTELS  
AND TRUSTS, REPRESENTING AN ATTEMPT TO ESTABLISH THE  
JURISDICTION OF THE FEDERAL REPUBLIC OF GERMANY OVER WEST BERLIN,  
ARE CONTRARY TO THE QUADRIPARTITE AGREEMENT AND INCOMPATIBLE  
WITH ITS PROVISIONS.

THE NOMINATION OF A PERSON FROM WEST BERLIN AS THE ACCREDITED REPRESENTATIVE OF THE FEDERAL REPUBLIC OF GERMANY TO THE UNITED NATIONS COMMISSION ON TRANSNATIONAL CORPORATIONS DOES NOT FACILITATE THE EFFORTS OF THE UNITED NATIONS TO REDUCE INTERNATIONAL TENSION AND EXPAND INTERNATIONAL CO-OPERATION. THE ATTEMPTS OF THE FEDERAL REPUBLIC OF GERMANY TO INVOLVE THE UNITED NATIONS IN SUCH VIOLATIONS OF INTERNATIONAL AGREEMENTS ARE NOT CONSONANT WITH INTERNATIONAL DETENTE AND DO NOT ADVANCE THE GOAL OF MAINTAINING A NORMAL SITUATION AROUND WEST BERLIN. THEY CAN ONLY CREATE MISUNDERSTANDINGS AND COMPLICATIONS. FOR THESE REASONS, THE PERMANENT MISSION OF THE USSR TO THE UNITED NATIONS AND THE REPRESENTATIVE OF THE USSR TO THE UNITED NATIONS COMMISSION ON TRANSNATIONAL CORPORATIONS CANNOT RECOGNIZE THE LEGALITY OF THE NOMINATION OF PROFESSOR GUNTHER AS THE REPRESENTATIVE OF THE FEDERAL REPUBLIC OF GERMANY TO THAT COMMISSION.

I SHOULD BE GRATEFUL IF YOU WOULD CIRCULATE THIS LETTER AS AN OFFICIAL DOCUMENT OF THE GENERAL ASSEMBLY UNDER ITEM 12 OF THE PRELIMINARY LIST OF ITEMS TO BE INCLUDED IN THE PROVISIONAL AGENDA OF THE THIRTIETH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY

(REPORT OF THE ECONOMIC AND SOCIAL COUNCIL).

(SIGNED Y. MALIK

PERMANENT REPRESENTATIVE OF THE USSR  
TO THE UNITED NATIONS

-X A/10000.

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PAGE 03 USUN N 00976 262359Z

AXQPP64

24 MARCH 1975

THIRTIETH SESSION

ITEM 12 OF THE PRELIMINARY LIST-X

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

NOTE VERBALE DATED 24 MARCH 1975 FROM THE PERMANENT MISSION OF  
THE UKRAINIAN SOVIET SOCIALIST REPUBLIC TO THE UNITED NATIONS  
ADDRESSED TO THE SECRETARY-GENERAL

THE PERMANENT MISSION OF THE UKRAINIAN SOVIET SOCIALIST  
REPUBLIC TO THE UNITED NATIONS PRESENTS ITS COMPLIMENTS  
TO THE SECRETARY-GENERAL OF THE UNITED NATIONS AND HAS  
THE HONOUR TO STATE THE FOLLOWING.

IT APPEARS FROM THE PROVISIONAL LIST OF REPRESENTATIVES  
OF STATES MEMBERS OF THE UNITED NATIONS PARTICIPATING IN THE WORK  
OF THE FIRST SESSION OF THE COMMISSION ON TRANSNATIONAL CORPORATIONS  
THAT PROFESSOR E. GUNTHER, PRESIDENT OF THE FEDERAL OFFICE  
FOR THE SUPERVISION OF CARTELS AND TRUSTS IN THE FEDERAL REPUBLIC OF  
GERMANY, AN OFFICE WHICH IS LOCATED IN WEST BERLIN, HAS  
BEN NOMINATED AS REPRESENTATIVE OF THE FEDERAL REPUBLIC OF  
GERMANY TO THE COMMISSION.

ACCORDING TO THE QUADRIPARTITE AGREEMENT OF 3 SEPTEMBER 1971, WEST  
BERLIN IS NOT A CONSTITUENT PART OF THE FEDERAL REPUBLIC OF  
GERMANY AND IS NOT GOVERNED BY IT. ACCORDINGLY, THE  
LOCATION AND THE ACTIVITIES IN WEST BERLIN OF THE FEDERAL OFFICE FOR  
THE SUPERVISION OF CARTELS AND TRUSTS IN THE FEDERAL REPUBLIC  
OF GERMANY ARE ILLEGAL AND CONTRARY TO THE QUADRIPARTITE  
AGREEMENT OF 3 SEPTEMBER 1971. THE NOMINATION OF THE PRESIDENT  
OF THIS OFFICE AS THE OFFICIAL REPRESENTATIVE OF THE  
FEDERAL REPUBLIC OF GERMANY TO THE COMMISSION ON TRANSNATIONAL  
CO-OPERATION.

FOR THIS REASON, THE PERMANENT MISSION OF THE UKRAINIAN SOVIET SO-  
CIALIST REPUBLIC TO THE UNITED NATIONS AND THE REPRESENTATIVE OF  
THE UKRAINIAN SSR TO THE UNITED NATIONS COMMISSION  
ON TRANSNATIONAL CORPORATIONS FIND IT IMPOSSIBLE TO RECOGNIZE THE  
NOMINATION OF PROFESSOR E. GUNTHER AS THE REPRESENTATIVE OF THE  
FEDERAL REPUBLIC OF GERMANY AT THE FIRST SESSION OF THE  
COMMISSION ON TRANSNATIONAL CORPORATIONS.

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PAGE 04 USUN N 00976 262359Z

THE PERMANENT MISSION REQUESTS THAT THIS NOTE BE CIRCULATED  
AS AN OFFICIAL DOCUMENT OF THE GENERAL ASSEMBLY UNDER ITEM 12  
9\* THE PRELIMINARY LIST OF ITEMS TO BE INCLUDED IN THE PROVISIONAL  
AGENDA OF THE THIRTIETH SESSION OF THE UNITED NATIONS  
GENERAL ASSEMBLY.

-X A/10000.

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A/10063

24 MARCH 1975

THIRTIETH SESSION

ITEM 12 OF THE PRELIMINARY LIST -X

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

LETTER DATED 24 MARCH 1975 FROM THE PERMANENT REPRESENTATIVE  
OF BULGARIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

THE PERMANENT MISSION OF THE PEOPLE'S REPUBLIC OF BULGARIA TO THE  
UNITED NATIONS WAS SURPRISED TO NOTE THAT THE PROVISIONAL LIST  
OF REPRESENTATIVES TO THE FIRST SESSION OF THE COMMISSION ON  
TRANSNATIONAL CORPORATIONS SHOWS AS THE REPRESENTATIVE OF THE  
FEDERAL REPUBLIC OF GERMANY PROF. EBERHARD GUNTHER,  
PRESIDENT OF THE FEDERAL OFFICE FOR THE SUPERVISION OF CARTELS  
AND TRUSTS IN THE FEDERAL REPUBLIC OF GERMANY, AN OFFICE AS THE  
SEAT OF WHICH WEST BERLIN IS BEING MISUSED.  
THIS NOMINATION STANDS IN CONTRADICTION TO THE QUADRIPARTITE  
AGREEMENT OF 3 SEPTEMBER 1971 ON BERLIN (WEST) AND  
RUNS COUNTER TO THE BASIC AIMS OF THIS IMPORTANT INTERNATIONAL  
AGREEMENT WHICH IS TO CONTRIBUTE TO THE LESSENING OF INTERNATIONAL  
TENSIONS AND TO THE ESTABLISHMENT OF GOOD NEIGHBOURLY RELATIONS AND  
CO-OPERATION.

FOR THIS REASON THE PERMANENT MISSION OF THE PEOPLE'S  
REPUBLIC OF BULGARIA TO THE UNITED NATIONS CONSIDERS AS UNACC-  
EPTABLE PROF. GUNTHER'S NOMINATION TO THE COMMISSION  
ON TRANSNATIONAL CORPORATIONS.

I WOULD BE GRATEFUL TO YOU FOR HAVING THIS LETTER CIRCULATED  
AS AN OFFICIAL DOCUMENT OF THE GENERAL ASSEMBLY UNDER ITEM  
12 OF THE PRELIMINARY LIST OF ITEMS TO BE INCLUDED  
IN THE PROVISIONAL AGENDA OF THE THIRTIETH SESSION.  
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PAGE 05 USUN N 00976 262359Z

(SIGNED) GUERO GROZEV  
DEPUTY FOREIGN MINISTER,  
PERMANENT REPRESENTATIVE  
OF BULGARIA TO THE UNITED NATIONS  
-/ A/1000.  
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WHITE

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